

1941

SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SONOMA		DEPT. 4
Date: Nov. 12, 1971	Plaintiff: JOSEPH P. MURPHY, JR. GERRARD THOMPSON	Judge: LOUISE V. EVANS Bailiff: MARTHA BLASHFIELD Deputy Clerk: _____ Reporter: _____
THE PEOPLE OF THE STATE OF CALIFORNIA		Counsel appearing for Plaintiff: KERNAN R. HVLAND, District Attorney and RONALD W. FAHEY, Chief Deputy District Attorney
JOSEPH HENDLEY, LG		Counsel appearing for Defendant: MARTEEN J. MILLER, Public Defender
Defendant: _____		
NATURE OF PROCEEDINGS: Violation Sec. 187, P.C., 1st day Jury. ACTION No. 6402-C		
<p>At 10:15 A.M. Court convened, pursuant to adjournment of Nov. 11, 1971. All present. Defendant present.</p> <p>Dorothy Mancini resumed the stand for further direct examination in behalf of the People.</p> <p>By stipulation, FBI Agent Frederick J. Wallace, heretofore sworn, is called out of order and testified in behalf of the People.</p> <p>Dorothy Mancini resumed the stand for further direct examination.</p> <p>At 12:00 noon Court admonished the jury and declared the noon recess. At 1:40 P.M. Court reconvened. All present. Defendant present.</p> <p>Robert Stoney, heretofore sworn, recalled pursuant to stipulation and testified further in behalf of the People.</p> <p>Photograph of decedent's remains in gravesite marked People's ex. 36, for identification.</p> <p>Large plastic bag with piece of burlap sack in it, marked People's ex. 37a, for identification.</p> <p>Cardboard container with hair samples and debris taken from sweater and burlap sack found in gravesite, marked People's ex. 37b, for identification.</p> <p>Large plastic bag with black pull-over sweater marked People's ex. 38, for identification.</p> <p>By stipulation, People's exhibits 37a, 37b and 38, for identification are received into evidence and bear the same numbers.</p> <p>Dorothy Mancini resumed the stand for further direct examination.</p> <p>At 3:30 P.M. Court admonished the jury and adjourned to Nov. 16, 1971, at 10:00 A.M.</p>		

EXHIBIT  
 421

1942

02/01/02 FRI 20:43 FAX

Form 100-100  
(Rev. 4-26-60)

UNITED STATES GOVERNMENT

# Memorandum

TO : James J. Featherstone, Deputy Chief  
Organized Crime & Racketeering Section

FROM : Edward F. Harrington, Attorney in Charge  
Boston Field Office, Organized Crime  
and Racketeering Section

SUBJECT: Subpoenas Directed to Special Attorney Harrington and Special  
Agents Rico and Condon to Appear on Behalf of Defendant Joseph  
Baron

DEPARTMENT OF JUSTICE

EPH:ded

DATE: 11/15/71

RECEIVED

NOV - 16 1971

CRIMINAL DIVISION

This is in response to your telephonic request of November 12, 1971 to set forth the testimony expected from Special Agents Rico and Condon and me on behalf of the defendant in the case of California v. Joseph Baron.

It is my judgment that the federal officials involved should respond to Baron's subpoena as it is essential that the government should fulfill its commitment to Baron to do all within its power to insure that he suffers no harm as a result of his cooperation with the federal government. (See my memorandum to you dated March 23, 1971 and October 12, 1971.)

Greg Evans, Chief Investigator, Sonoma County Public Defender's Office, has advised me that the defense wishes me to testify in substance to the extent of Baron's cooperation with the federal government, the names and stature of the individuals convicted as a result of his testimony and the steps taken by the federal government to insure his personal security from retaliation by the underworld, namely, relocation to Sonoma County, California, change of identity, and the obtaining of a job.

The defense wishes Special Agent Condon to testify in substance as an expert witness regarding organized crime in the New England area, about certain clandestine movements undertaken by the underworld during the Spring and Summer of 1970, whose purpose was to "set Baron up for" extermination.

The defense wishes Special Agent Rico to testify as an expert in organized crime in the New England area, about information he received in the period from the Spring of 1969 through the Winter of 1969 concerning underworld plans and movements, whose purpose was to exterminate Baron, which information was conveyed by Rico to Baron in order to preserve his personal safety.

100-66  
DEPARTMENT OF JUSTICE  
NOV 16 1971  
R.A.O.  
CRIMINAL DIVISION



FBI/BOS-CRM-000

1943

02/01/02 FRI 20:43 FAX

02/01/02

- 2 -

It is requested that Special Attorney Albert F. Cullen, Jr., who is intimately cognizant of all details relating to the Baron situation, be authorized to accompany Special Agents Rico and Condon and myself to California to insure that the interests of the government are preserved.

FBI/BOS-CRM-000

1944

PLAINTEXT

11/17/71

TELETYPE

NITEL

TO SACS BOSTON (92-1132)  
MIAMI  
FROM DIRECTOR FBI (92-9828)

JOSEPH BARON, AKA. AR

CONFIRMING BUTELCALL, NOVEMBER SEVENTEEN INSTANT.

SAS DENNIS M. CONDON, BOSTON, AND H. PAUL RICO, MIAMI, ARE  
TO COMPLY WITH SUBPOENAS RECEIVED FOR THEIR APPEARANCE AT  
MURDER TRIAL OF SUBJECT IN SONOMA COUNTY, SUPERIOR COURT,  
SANTA ROSA, CALIFORNIA. DEPARTMENT HAS COMMUNICATED WITH  
STRIKE FORCE ATTORNEY HARRINGTON IN THIS REGARD AND IN VIEW OF  
HARRINGTON ALSO APPEARING AS A WITNESS ANOTHER DEPARTMENT  
ATTORNEY WILL BE PRESENT IN COURT ROOM WITH AGENTS TO PROTECT  
THEIR INTERESTS.

NOTE: SAs Condon and Rico have received subpoenas from the  
Public Defender, representing Baron in murder trial. Baron  
was developed by SAs Condon and Rico as key witness against  
LCN "boss" Raymond Patriarca. Department's advice was  
requested and on 11/17/71, Attorney James Featherstone, Organized  
Crime Section of the Department advised SA T. J. Emery that  
Agents should respond to the subpoenas by appearing as requested.  
Department will confirm in writing.

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Fowler \_\_\_\_\_  
Bates \_\_\_\_\_  
Tavel \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

CLG:rar  
(3)

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

NOV 17 1971

TELETYPE

EXHIBIT

423

1945

102-755 5M 7/61 (new)

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SONOMA**

**DEPT. 4**

Date: Nov. 18, 1971 Hon. **JOSEPH P. MURPHY, JR.** Judge **LOUISE V. EVANS** Deputy Clerk  
**GERALD THOMPSON** Bailiff **MARTHA BLASHFIELD** Reporter

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**THE PEOPLE OF THE STATE OF CALIFORNIA** vs. **JOSEPH BENTLEY & C**

**KIERNAN R. HYLAND**, District Attorney and **RONALD W. FAHEY**, Chief Deputy District Attorney

**MARTEEN J. MILLER**, Public Defender

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**Defendant**

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**NATURE OF PROCEEDINGS:** Violation Sec. 187 PC - 18th day Jury **ACTION No. 6407-C**

At 10:05 A.M. Court convened in the absence of the jury. Defendant present.

Motion by Mr. Miller that certain substance found at the gravesite be delivered to him for re-analysis. The Court directs that the substance which is contained in a vial and in the possession of Sheriff's Deputy Robert Stowe be delivered to Mr. Evans, the Public Defender's Investigator for analysis. Upon conclusion of analysis it shall be returned to Deputy Stowe.

The Court indicates that it will capsuleize what happened at preliminary hearing re: granting of immunity to Mrs. Wilson.

At 10:15 A.M. the Jurors are returned to open Court. All present.

Dorothy Wilson resumed the stand for further re-direct examination.

At 10:20 A.M. the Court admonished the jury and excused them to the jury room. Court remained in session for legal discussion.

At 10:30 A.M. the Jurors are returned to the Courtroom. All present.

Dorothy Wilson resumed the stand for further re-direct examination.

Motion by Mr. Miller to re-open cross-examination, granted.

Pursuant to stipulation, Deputy Robert Stowe, heretofore sworn, recalled and testified further in behalf of The People.

Colored photograph of decedent's skull marked People's ex. 39, for identification.

Cardboard container, contents human hair, marked People's Ex. 40, for identification.

Plastic bag with four glass slides marked People's Ex. 41, for identification.

.38 caliber revolver, marked People's Ex. 42, for identification.

People's exhibits 40, 41 and 42, for identification, allowed into evidence and bear the same numbers.

At 12:05 P.M. Court admonished the jury and declared the noon recess.

At 1:35 P.M. Court reconvened. All present. Defendant present.

Cortlandt Cunningham, heretofore sworn, called and testified in behalf of The People.

Stipulated by counsel that the holes in the skull of decedent were made by a .38 caliber revolver.

Oral stipulation heretofore entered into by counsel is read to the Jury by Mr. Hyland.

People's exhibits 32 and 33, for identification, allowed into evidence and bear the same numbers.

William R. Geraway sworn and testified in behalf of The People.

**EXHIBIT**  
424

1946

Defendant

NATURE OF PROCEEDINGS: Violation Sec. 187 PC - 18th day Jury ACTION No. 6407-C

At 10:05 A.M. Court convened in the absence of the jury. Defendant present.

Motion by Mr. Miller that certain substance found at the gravesite be delivered to him for re-analysis. The Court directs that the substance which is contained in a vial and in the possession of Sheriff's Deputy Robert Stowe be delivered to Mr. Evans, the Public Defender's Investigator for analysis. Upon conclusion of analysis it shall be returned to Deputy Stowe.

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Plastic bag with four glass slides marked People's Ex. 41, for identification.

.38 caliber revolver, marked People's Ex. 42, for identification.

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At 1:35 P.M. Court reconvened. All present. Defendant present.

Cortlandt Cunningham, heretofore sworn, called and testified in behalf of The People.

Stipulated by counsel that the holes in the skull of decedent were made by a .38 caliber revolver.

Oral stipulation heretofore entered into by counsel is read to the Jury by Mr. Hyland.

People's exhibits 32 and 33, for identification, allowed into evidence and bear the same numbers.

William R. Geraway sworn and testified in behalf of The People.

At 2:25 P.M. Court admonished the jury and excused them from the Courtroom. Court remained in session for legal discussion re: written document in possession of Mr. Fahey.

Form written by Joseph Barboze Baron marked People's Ex. 43, for identification, and is read by Mr. Geraway.

Stipulated by counsel that Mr. Geraway is qualified to recognize Joe Baron's handwriting.

At 2:50 P.M. Court admonished the jury and declared a recess. At 3:05 P.M. Court reconvened in the absence of the jury. Legal discussion between Court (over)

AP



1948

SONOMA COUNTY SHERIFF 2555 MENDOCINO AVENUE SANTA ROSA, CALIFORNIA		69 CASE NO. 2510-73	
70. CODE SECTION 187 PC	71. CRIME Murder	72. CLASSIFICATION	
73. VICTIM'S NAME (LAST, FIRST, MIDDLE (FROM W. BUS)) WILSON, Clayton Ricky		74. ADDRESS Residence	75. PHONE
		76. BUSINESS Deceased	
<p>W. BROWN, Mr. Lawrence; New Bedford, Mass. (617) 997-0561</p> <p>At 2:30 P.M. this date this officer recieved a telephone call from the operator requesting to speak with the commanding officer. This officer advised the operator that I was the commanding officer and then identified myself.</p> <p>The above witness then spoke with this officer. He stated he was Lawrence Brown from New Bedford, Mass. and that in reading the newspapers he believed he had some items we were looking for in the Baron Trial. Mr. Brown went on to say that he had recieved from Joseph Barboza some bonds. Mr. Brown then stated that he had a hundred copies that were certified and then gave just a few to show his sincerity and are as follows:</p> <p>Western Honey Corporation issued to Victor Ferdinand De Carly Western Citrus Honey Corp. " Stella O. Murphy Key System Transit Company.</p> <p>Mr. Brown further stated that he also had a certified copy of a birth certificate he recieved along with the above mentioned articles issued to Victor DeCarly and listing his father as a rancher born in Switzerland and his mother Elmira Phillippi born in California.</p> <p>Mr. Brown stated he wanted to speak to someone handling the case such as the prosecuting attorney. He went on to say that he is a family man, there are extenuating circumstances, and that he has been threatened by the Cosa Nostra and was getting tired of the whole thing.</p> <p>This officer advised Mr. Brown I would have the District Attorney handling the case call him right back. This officer immediately contacted Mr. John Hawkes, Assistant D.A. advising him of the situation. Mr. Hawkes confirmed that he would return the call immediately.</p>			
REPORTING OFFICER LT. ED. HAYDRUN		RECORDING OFFICER	TYPED BY ECM
DATE AND TIME 11-21-71 3:10 PM		ROUTED BY	
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO COPIES TO <input type="checkbox"/> DETECTIVE <input checked="" type="checkbox"/> CH <input type="checkbox"/> JUVENILE <input type="checkbox"/> PATROL <input type="checkbox"/> DIST. ATTY. <input type="checkbox"/> OTHER <input type="checkbox"/> S.O./P.D. <input type="checkbox"/> OTHER		DISTRICT ATTORNEY CAPT. HAYES DET/SGT BROWN REVIEWED BY DATE 11-22-71	

EXHIBIT  
425



1949

02/01/02 FRI 20:42 FAX

FD-150  
(Rev. 4-15-64)

UNITED STATES GOVERNMENT

# Memorandum

DEPARTMENT OF JUSTICE

73A 1023  
EFH:ded #77

TO : James J. Featherstone, Deputy Chief  
Organized Crime & Racketeering Section

DATE: November 29, 1971

FROM : Edward F. Harrington, Attorney in Charge  
Boston Field Office, Organized Crime  
& Racketeering Section

SUBJECT: Testimony of Government Agents and Attorney in the Case  
of State of California v. Joseph Baron

I will testify as to the names of the underworld figures against whom Joseph Baron testified on behalf of the United States Government and on behalf of the Commonwealth of Massachusetts, namely, Raymond Patriarca, Henry Tameleo and Ronald Cassesso in the federal case; and Henry Tameleo, Peter Limone, Louis Grieco, John Silvati, Roy French and Ronald Cassesso in the state prosecution.

I will also testify that during the period that Baron was awaiting to testify in the trial of these cases he was maintained in protective custody by the federal government at Thatcher's Island, off the Massachusetts Coast, and at an estate in Gloucester, Massachusetts; and that subsequent to his testimony he was relocated by the federal government to Fort Knox, Kentucky, in protective custody, and then permanently relocated to the Santa Rosa, California area under the name of Joseph Bentley. I will also testify that the government, in order to secure Baron's personal safety, changed Baron's name to Bentley and aided him in securing a position as a student in a cooking school in the Santa Rosa, California area. I will also be asked to testify that during the time that Baron was in Santa Rosa he requested, on several occasions, to carry a gun for his own protection which request was denied by me on the ground that I had no authority to permit him to carry a weapon.

Special Agents Rico and Condon of the Federal Bureau of Investigation will testify that they both advised the witness Baron during the period that he was in protective custody in Massachusetts awaiting to testify for the federal and state governments that they had received information from underworld sources that the LCN in the Boston-Providence area was attempting to locate Baron's whereabouts so that they could kill him to his testifying. Special Agent Rico will testify that on or about February 3, 1970 he personally advised Joseph Baron in Massachusetts that the LCN in this area was aware that Baron was in the area and Baron was told by Rico that two individuals were here to do a "hit" on an unknown individual, who could be Baron, and that Baron, therefore, should immediately leave the

EXHIBIT

426

FBI/BOS-CRM-0000

1950

- 2 -

Massachusetts area and return to California.

Special Agent Condon will testify that in January, 1970 two well known "hit men" from the Boston area, Harry Johnson and Allan Fidler, traveled to the San Francisco area, and according to informants of the Boston Office of the Federal Bureau of Investigation were supposed to be making the trip to harm someone in the San Francisco area. Investigation determined that these individuals traveled extensively in the Northern California area. Local police stopped these individuals and ascertained that they had assumed false identities and they were ordered to leave San Francisco and they returned to the Boston area. A search by the police department, prior to their detention, disclosed that these individuals had two hand weapons that were stolen and a supply of ammunition. Johnson and Fidler were detained in an area in close proximity to the then whereabouts of Joseph Baron. Baron was advised by Special Agent Condon as to these facts and was urged to be careful as these individuals might be traveling to kill Baron.

Special Agents Condon and Rico will testify as to State of California witness Geraway's reputation in the Massachusetts community for truth and veracity. Geraway, who is presently serving a life sentence for murder at Walpole Correctional Institution, is considered by law enforcement authorities as a congenital liar.

It is requested that the authority to testify for Rico, Condon and me cover all the areas of testimony related to above in the event that one of the witnesses' testimony is delved into on the cross-examination of the other.

documents, being a series of  
Stock Certificates and Birth  
Certificate and Baptismal  
Record, were marked People's  
Exhibits Nos. 47 through 54  
for identification.)

THE COURT: All right. This is the witness.

LAWRENCE P. HUGHES,

called as a witness in behalf of the People, after being first  
duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. FAHEY:

Q If you will have a seat, Mr. Hughes, and if you will just  
bear with me just a moment while I have these documents marked  
for identification.

THE CLERK: What do I call it?

THE COURT: I wouldn't worry too much about identify-  
ing them for your notes at the moment, Irene. Just put numbers  
on them and go ahead.

BY MR. FAHEY:

Q Now for the record, would you state your full name and  
occupation, please?

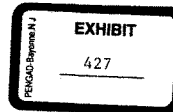
A Lawrence P. Hughes. I'm a head waiter.

Q And where do you presently reside, Mr. Hughes?

A In New Bedford, Massachusetts.

Q And how long have you resided in that community?

A I was born and raised there. I left in 1947 after the  
war and went to New York and Miami and worked in the capacity  
of a waiter or head waiter and returned --



1 THE COURT: Excuse me. Okay. Would you read back  
2 the witness's answer thus far and the microphone doesn't work  
3 too well. Will you consciously try to keep your voice up so  
4 those ladies and gentlemen can hear you.

5 Would you read the answer thus far.

6 (Answer read by Reporter.)

7 THE WITNESS: Returned in 1962.

8 BY MR. FAHEY:

9 Q To New Bedford?

10 A To New Bedford.

11 Q I'm going to direct your attention to the year 1970.

12 Were you living in New Bedford in that time?

13 A Yes, I was.

14 Q Now, Mr. Hughes, I ask you to look at counsel table here  
15 to my left. Do you recognize anyone at that counsel table?

16 A Yes, I do.

17 Q Would you indicate who you recognize?

18 A Joseph Barboza.

19 MR. MILLER: I'll stipulate he knows -- recognizes  
20 the defendant.

21 THE COURT: All right. The record will so show.

22 BY MR. FAHEY:

23 Q And how long have you known Mr. Barboza, Mr. Hughes?

24 A Approximately 1962 or '63.

25 Q And where did you have occasion to meet him?

26 A At a restaurant that I owned on Purchase Street in New  
27 Bedford.

28 Q Now I'm going to direct your attention to 1970, the year

1 1970, the first part of the year, in a period  
2 May, June. Do you -- Were you in New Bedford  
3 A Yes, I was.  
4 Q And do you recall whether or not you had seen  
5 Mr. Barboza in New Bedford during that period?  
6 A Yes, I did.  
7 Q All right. Would you tell us where and when you  
8 seeing him in 1970?  
9 A The first time I saw him was -- I believe in the  
10 of 1970 or in that area, 1970, and I saw him in  
11 C In your home?  
12 A Yes, sir.  
13 Q And do you recall whether or not there were  
14 persons present at that time?  
15 A Yes, there was.  
16 Q And could you name them?  
17 A Yes, I can.  
18 Q All right. Would you do so, please?  
19 A My brother, Leonard Hughes, Herbert Jesus, and  
20 Ralph that came with Joe from California, myself, and  
21 Bailey, an attorney.  
22 Q Now did the discussion take place involving  
23 in your presence at that time?  
24 A Yes, it did.  
25 Q All right. And do you recall what the discussion involved?  
26 A Well, there were several discussions, sir. I don't  
27 know which one you're referring to.  
28 Q All right. Was there a discussion involving stock certi-

1    ficates?

2    A    Not with me, no, but in my presence.

3    Q    Well, that's what I'm getting at.

4    A    Yes.

5    Q    And who did the discussion take place between?

6    A    My brother and Mr. Barboza.

7    Q    And this was in your presence?

8    A    Yes, it was.

9    Q    All right. And could you tell us what you recall about  
10 this discussion as best you recall what was said between  
11 Mr. Barboza and your brother?

12   A    Mr. Southworth, reporter for the Boston Herald Tribune,  
13 supposedly had some papers that belonged to Mr. Barboza. Some  
14 of the papers were the minutes to the Grand Jury -- Grand Jury--  
15 the Grand Jury hearing of the Deegan trial in Boston, Massachu-  
16 setts, and the others were the -- in reference to the bonds,  
17 certificates.

18   Q    All right. And do you recall particularly what was said  
19 by Mr. Barboza in reference to these bonds or stock certificates?

20   A    Well, he never --

21   Q    At this time?

22   A    He never really referred to them as stock certificates.  
23 He called them papers.

24   Q    All right. Could you tell us as best you recall -- I  
25 know you can't repeat words verbatim, but as best you recall  
26 what he said about those papers in front of you at that time?

27   A    He told my brother he should get off them and move them,  
28 you know, that there's a lot of money involved, or something to

1 that effect. It was very close to it.

2 MR. MILLER: Do we have a date in April?

3 MR. FAHEY: Excuse me. I think counsel can get into  
4 this on cross-examination, Your Honor.

5 MR. MILLER: It's sometimes confusing.

6 THE COURT: Yes, that's true. The witness has  
7 indicated as best he can recollect it was April or in that area  
8 at his home.

9 BY MR. FAHEY:

10 Q Could it have been later, Mr. Hughes?

11 A Possibly, yes, sir.

12 Q Now was there any further discussion by Mr. Barboza about  
13 these papers at that time in your presence?

14 A No, sir. Yes, there was. Yes, there was. To go down  
15 to see Mr. Southworth in --

16 Q Could you repeat that?

17 A Somewhere on the Cape, to go down to see Mr. Southworth  
18 and do anything that we can to -- to expedite the transfer of  
19 the papers from Mr. Southworth to my brother.

20 Q Now did -- Was there any discussion at this time, this  
21 particular time that you've already testified to, any discussion  
22 about the name or names of any individual in California?

23 A Yeah, there was a man mentioned by the name of Clay.

24 Q And who mentioned this man's name by the name of Clay?

25 A Joseph Barboza.

26 Q Do you recall what he said?

27 A Not verbatim but to the effect that he was a wise guy and  
28 when he went back, he had to be straightened out or something

1 on that idea.

2 Q All right. Now --

3 MR. MILLER: Excuse me. Is this the same conversation  
4 there at the house?

5 BY MR. FAHEY:

6 Q Is this at the same time?

7 A I don't believe so, sir. I know it was mentioned that  
8 Mr. Barboza was staying in my house.

9 --  
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- 1 Q. During this period in April or possibly later?
- 2 A. Correct, correct.
- 3 Q. Now, in reference to these papers or bonds or stock
- 4 certificates, as you indicated what they are, did your brother
- 5 and yourself go down and see Mr. Southworth?
- 6 A. Yes, we did.
- 7 Q. To your knowledge, did your brother obtain these stock
- 8 certificates or bonds?
- 9 A. No, he did not.
- 10 Q. To your knowledge, did he obtain them at a later date?
- 11 A. Yes, he did.
- 12 Q. And do you recall about what time he obtained-- what period
- 13 of time, approximately, year and month, that your brother
- 14 obtained these stock certificates or bonds that Mr. Barboza
- 15 referred to?
- 16 A. To my knowledge, sometime in June of 1970.
- 17 Q. And did you later have occasion to see these stock certifi-
- 18 cates or bonds?
- 19 A. Yes, I did.
- 20 Q. And were there any other documents also?
- 21 A. Yes, there were several.
- 22 Q. And did you later have occasion to have these original--
- 23 these documents in your possession for a period of time?
- 24 A. Yes, I did.
- 25 Q. Could you tell us when?
- 26 A. Possibly March of 1971.
- 27 Q. And did you do anything with these documents at that time?
- 28 A. Yes. I did. I had photostatic copies made of a portion of

1 them.

2 Q. And for what purpose?

3 A. What was the reason?

4 Q. Yes.

5 A. I was advised to do so by Mr. John Doyle, who was a police  
6 officer in Mr. Garrett Burns's office in Boston, Massachusetts.

7 Q. I'm going to ask you to look at these documents. This is  
8 marked People's No. 47 for identification. Would you look at  
9 that, and tell me if you recognize that?

10 A. Yes, I do, sir.

11 Q. What is it?

12 A. It's a standard certificate of birth for Victor Leonard  
13 DeCarli.

14 Q. And did you at one time have the original to this?

15 A. Yes, sir, I did.

16 Q. And did you make this Xerox copy?

17 A. Yes, I did.

18 Q. Fine. Now, I'll ask you to look at People's No. 48, ask you  
19 if you recognize this document?

20 A. Yes, I do, sir.

21 Q. Would you tell us what it is.

22 A. It's a Key System Transit Company, 100 shares of general  
23 and refunding mortgage, gold bond certificate.

24 Q. And is there any name written on the same side?

25 A. Yes. Well, I can't quite make out the first part of it,  
26 but the last name is DeCarli.

Q. Yes. And did you have the original of this document at one  
time?

1 A. Yes, sir, I did.

2 Q. Did you Xerox this?

3 A. Yes, I did.

4 Q. I'll ask you to look at People's No. 49 and ask you if you

5 recognize that?

6 A. Yes, sir, I do.

7 Q. And what is it?

8 A. It's the Western Bee Farms Corporation stock.

9 Q. And to shorten this questioning, was this also copied by

10 you from an original at the same time?

11 A. Yes, it was, yes, sir, it was.

12 Q. All right. And I'll ask you to look at People's No. 50,

13 and ask you the same question. Do you recognize it?

14 A. Yes, I do. I had this copied, yes, sir.

15 THE COURT: What is 50, just for the record?

16 MR. FAHEY: 50 is 1000 shares of capital stock of

17 Western Bee Farms Corporation.

18 Q. And 51, again?

19 A. Yes, it's 100 shares of Key System Transit Company.

20 Q. And did you Xerox this from the original?

21 A. Yes, I did, sir.

22 Q. At the same time?

23 A. Yes, I did.

24 Q. I'll ask you to look at 52.

25 A. Yes, I copied this. It's some kind of a receipt. I copied

26 the front of them and the back of them. Some of these are the

27 front and some are the back.

28 Q. All right. And this was all done from the originals?

- 1 A. Yes, sir.
- 2 Q. All right, I'll ask you to look at People's No. 53.
- 3 A. Yes, it's certificate of baptism that Elmira Filippini,
- 4 child of Carlo Filippini and Amelia Delponte, born in
- 5 California on the 30th day of July, 1882, was baptized, and so
- 6 forth.
- 7 Q. Would you indicate where they were baptized, if it indicates
- 8 the church?
- 9 A. Baptized the 31st day of August, 1882, Reverend P. A.
- 10 Foley, sponsors being Leonard Filippini and Angelina Tore,
- 11 dated May 10, 1955.
- 12 Q. And the church?
- 13 A. St. Vincent's Church, Petaluma, California.
- 14 Q. And again, did you have this copied?
- 15 A. Yes, I did, sir.
- 16 Q. This is People's 54, which appears to be a Xerox copy of a
- 17 number of small stock certificates.
- 18 A. I believe these were stamps that they tear off. Some of
- 19 them were missing, as you can see here. I copied that, yes,
- 20 sir.
- 21 Q. And were these part of the documents that you obtained from
- 22 your brother Leonard?
- 23 A. Yes, they are.
- 24 Q. And are these part of the documents that were referred to by
- 25 Joseph Barboza in his conversation previously in front of you
- 26 with your brother Leonard?
- 27 A. That's correct.
- 28 Q. Are these all the documents that you obtained at that later

1 period and Xeroxed?

2 A. No, they are not. There's maybe 25 or 30 more.

3 Q. And do you have the Xerox copies to those documents?

4 A. No, I do not have them, sir.

5 Q. Do you know where they are?

6 A. I gave them to an FBI agent by the name of Sheehan.

7 Q. And when did you do that, sir?

8 A. Last Wednesday.

9 Incidentally, he told me that he was going to send them out  
10 to you.

11 Q. Thank you.

12 MR. MILLER: Did you get them?

13 MR. HYLAND: No, we certainly did not.

14 MR. FAHEY: We don't have them.

15 Q. Now, you indicated earlier in your testimony that you  
16 obtained the originals in-- was it September of 1970 or March  
17 of '71?

18 A. That's correct, sir.

19 Q. March of '71, is it?

20 A. That's correct.

21 Q. And you contacted a Mr. John Doyle?

22 A. I contacted Mr. John Doyle in the District Attorney's office  
23 in Boston, Massachusetts, because he told me if anything came  
24 up in reference--

25 MR. MILLER: We have to object to any conversations at this  
26 time.

27 THE COURT: Yes, the question has been answered.

28 MR. FAHEY: Q. At that time, without going into any

1962

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

NR 008 SF PLAIN

DEC 2 1971

3:20 PM URGENT 12/2/71 MCC

TELETYPE

TO DIRECTOR (92-9828)

BOSTON (92-1132)

FROM SAN FRANCISCO (92-2061) (P) 4P

JOSEPH BARON, AKA. AR.

RE BOSTON TEL TO BUREAU AND SAN FRANCISCO, NOVEMBER  
TWENTYFOUR LAST, ENTITLED "JOSEPH BARON, AKA; ET AL; UNSUB, AKA  
VICTOR L. DI CARLI, VICTOR DI CARL, ITSP, OO NEW YORK."

ON DECEMBER ONE LAST, SAs DENNIS M. CONDON, BOSTON OFFICE,  
AND H. PAUL RICO, MIAMI OFFICE, WITH ATTORNEY EDWARD F. HARRINGTON,  
BOSTON STRIKE FORCE, WERE INTERVIEWED BY DISTRICT ATTORNEY KERNAN  
HYLAND, SONOMA COUNTY, CALIF., AND MEMBERS OF HIS STAFF REGARDING  
THEIR POSSIBLE TESTIMONY ON THE CASE OF STATE OF CALIFORNIA VS.  
BARON. DISTRICT ATTORNEY ADVISED THAT STATE HAD NOT RESTED, AS HE  
CALLED AN UNEXPECTED SURPRISE WITNESS, LAWRENCE HUGHES OF NEW BEDFORD,  
MASSACHUSETTS. HYLAND ADVISED THAT HUGHES TESTIFIED THAT IN JULY,  
NINETEEN SEVENTY, BARON PROVIDED HIM WITH ACCESS TO BONDS STOLEN  
IN CALIFORNIA (THE STATE'S THEORY IS THAT BARON KILLED WILSON  
AS A RESULT OF AN ARGUMENT OVER THE DISPOSITION OF THESE BONDS)  
AND THAT BARON ALLEGEDLY ADMITTED TO HUGHES THAT HE, BARON, HAD

END PAGE ONE

Mr. Tolson \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Bishop \_\_\_\_\_  
Mr. Miller, ES \_\_\_\_\_  
Mr. Callahan \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. Dalbey \_\_\_\_\_  
Mr. DeLoach \_\_\_\_\_  
Mr. Fonder \_\_\_\_\_  
Mr. Gale \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tavel \_\_\_\_\_  
Mr. Walters \_\_\_\_\_  
Mr. Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

EXHIBIT

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1963

PAGE TWO

SLEPT WITH WILSON'S WIFE ONE HOUR AFTER HE HAD KILLED WILSON. NYLAND INDICATED THAT THE SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE HAD BEEN TOLD THIS IN MARCH OF NINETEEN SEVENTYONE AND IMPLIED THAT HUGHES ALSO TOLD THE FBI THAT BARON HAD POSSESSION OF THE AFOREMENTIONED BONDS.

REFERENCED TELETYPE SETS FORTH INFORMATION PROVIDED BY HUGHES TO THE FBI AT THE TIME OF THIS INTERVIEW ON NOVEMBER TWENTYFOUR LAST, AT NEW BEDFORD, MASSACHUSETTS. PERTINENT INFORMATION CONTAINED IN REFERENCED TELETYPE WAS PREVIOUSLY MADE AVAILABLE BY FBI, SAN FRANCISCO, TO SONOMA COUNTY DISTRICT ATTORNEY'S OFFICE. JUST PRIOR TO USING HUGHES AS A PROSECUTION WITNESS, THE DISTRICT ATTORNEY TURNED OVER TO DEFENSE COUNSEL THE SUBSTANCE OF THE REFERENCED TELETYPE. REFERENCED TELETYPE HAD SET FORTH THEREIN THAT HUGHES HAD BEEN IN CONTACT WITH BOSTON OFFICE OF THE FBI IN SEPTEMBER NINETEEN SEVENTY, AND HAD NOT MADE ANY STATEMENTS RE ANY KNOWLEDGE OF BARON'S INVOLVEMENT IN CALIFORNIA HOMICIDE.

AS THE BUREAU IS AWARE, HUGHES, AFTER HIS CONTACT WITH THE FBI IN SEPTEMBER OF NINETEEN SEVENTY, WAS PUT IN TOUCH WITH SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE, AS HIS INFORMATION HAD A BEARING ON THE ORGANIZATION'S ATTEMPTS TO OVERTURN THE  
END PAGE TWO

08 DEC 17

1964

PAGE THREE

DEEGAN MURDER CASE IN WHICH BARON HAD TESTIFIED. HUGHES WAS MAINTAINED BY THE SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE FROM SEPTEMBER, NINETEEN SEVENTY THROUGH APRIL NINETEEN SEVENTYONE, IN ORDER TO BE AVAILABLE IN THE EVENT A HEARING ON A MOTION FOR A NEW TRIAL IN THE DEEGAN CASE WAS HELD.

DISTRICT ATTORNEY NYLAND STATED THAT THERE WAS NO QUESTION IN HIS MIND THAT HUGHES WAS SENT OUT FROM THE BOSTON AREA TO SOLIDIFY THE CASE AGAINST BARON. STRIKE FORCE ATTORNEY IS OF OPINION THAT HUGHES HAS BEEN CORRUPTED BY LCN AND INSTIGATED TO FURNISH FALSE TESTIMONY.

IN INTERVIEW OF SAS CONDON, RICO, AND STRIKE FORCE ATTORNEY HARRINGTON BY PUBLIC DEFENDER, HE REQUESTED THE RESULTS OF THE FBI INTERVIEW IN SEPTEMBER NINETEEN SEVENTY, OF HUGHES AND IDENTITY OF AGENT WHO CONDUCTED THE INTERVIEW. STRIKE FORCE ATTORNEY ADVISED PUBLIC DEFENDER THAT SA CONDON HAD INTERVIEWED HUGHES BUT COULD NOT TESTIFY CONCERNING INTERVIEW WITHOUT OBTAINING A GRANT OF AUTHORITY.

STRIKE FORCE ATTORNEYS FROM BOSTON, MASSACHUSETTS, HAVE THIS DATE REQUESTED THAT SA CONDON'S GRANT OF AUTHORITY BE EXPANDED TO INCLUDE THAT FACT THAT ON SEPTEMBER TWENTYTHREE, NINETEEN SEVENTY, HE INTERVIEWED LAWRENCE HUGHES WITH SA DAVID DIVAN.

END PAGE THREE



1965

PAGE FOUR

AT THIS TIME HUGHES TOLD HIM ABOUT THE ALLEGED MEETING BETWEEN BAILEY AND BARON IN JULY, NINETEEN SEVENTY, AT WHICH TIME THE FIGURE OF FIVE HUNDRED THOUSAND DOLLARS WAS AGREED UPON FOR A CHANGE OF TESTIMONY, AND AN EARLIER MEETING BETWEEN BARON AND FRANK DAVIS, CLOSE ASSOCIATE OF RAYMOND PATRIARCA AND OTHERS, IN MAY OF NINETEEN SEVENTY. BUT HUGHES FAILED TO GIVE ANY INFORMATION CONCERNING BARON'S INVOLVEMENT WITH STOLEN BONDS OR THE MURDER. STRIKE FORCE ATTORNEYS FEEL STRONGLY THAT IN THE BEST INTEREST OF THE GOVERNMENT, THIS REQUEST FOR TESTIMONY SHOULD BE GRANTED.

COPY OF FD THREE ZERO TWO OF INTERVIEW OF HUGHES ON SEPTEMBER TWENTYTHREE NINETEEN SEVENTY, IN POSSESSION OF SUPERVISOR THOMAS EMORY, FBI HEADQUARTERS.

DEFENSE ALSO CALLING JOHN DOYLE, CHIEF INVESTIGATOR, SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE, BOSTON, MASSACHUSETTS, AS DOYLE HAS BEEN IN CONSTANT TOUCH WITH HUGHES SINCE SEPTEMBER OF NINETEEN SEVENTY AND NEVER RECEIVED ANY INFORMATION FROM HUGHES RELATIVE TO BARON'S ALLEGED ADMISSION OF INVOLVEMENT IN CALIFORNIA MURDER.

BUREAU WILL BE KEPT ADVISED.

END

TMT FBI WA

CC: MR. CLEVELAND

[illegible]

(Continued from Page 1)

On August 1 of last year, Mr. Bailey represented Mr. Barrow in another trial, his testimony was wanted to recast his testimony and said he would take a life deal.

(On caption bearing of the plan, Mr. Bailey said that he was arrested, talked to Mr. Barrow, and that his original testimony would stand.)

**"Threat on Life"**

Mr. Hughes said he informed government officials about the \$500,000 offer and he was placed in "protective custody" for several months after he was released from his life threat.

Mr. Hughes said he was worried out where he would be if the government witness in the event Mr. Barrow elected to change his testimony.

**"Who Contacted Whom?"**

Mr. Hughes continued he contacted a East Coast Mafia boss and he recast his testimony and he received \$125 a week for the expenses from the district attorney in Boston. He said the agreement guaranteed him a \$100,000 identity, a job and the eventual removal with his wife and child to a new home.

He said he was met in Hingham and put up in a Holiday Inn and then returned to turn over for him soon afterward.

The deal was \$60 they had got involved and was to be that of a bus boy, which was at a meeting at the Hughes' home when the plan was discussed.

Mr. Hughes continued Bailey was cut off and he had to move to the Y.M.C.A.

**"U.S. Forfeits Me"**

He contended he was completely forsaken by the government when in March Mr. Barrow was sent to the Federal Reformatory for the Clay Wilson affair.

Mr. Hughes said the government returned him to New Bedford, after I raised so much money for the Clay Wilson affair.

Turning specifically to the Wilson case, Mr. Hughes said Mr. Barrow first mentioned Clay Wilson in the spring of 1970 when Mr. Barrow was with the East Coast Mafia boss and he was sent back to California he was going to have to strangle him.

Mr. Hughes said, however, he did not consider Mr. Barrow a Mafia boss and he was not the defendant was going to kill Clay.

The only indication he received after that that something happened to Clay was when Mr. Barrow told him that he was one of the many who were involved in the "ground" after he buried him on his "hour."

Mr. Hughes earlier testified his brother, Leonard Hughes, had been in the spring of 1970, 1970, 1970 south of securities stolen in a 1969 burglary at the family home of Victor DeCorti.

Mr. Hughes said he made the photographs of them before returning them to his brother. He said he had another photograph, he told him he had destroyed them, he said.

He said, however, that he in the photographs and turned the majority of them over to an FBI agent last year.

He said he was produced in court on Wednesday.

Mr. Hughes recalled his brother told him a man, identified as Genaro Anguiano, wanted the leadership of the East Coast Mafia.

Very important to the photographs, "that they were very important."

In a brief interview with a Boston Post-Herald reporter yesterday, Mr. Hughes said he was now the head of the New England Mafia. But before he could answer, Mr. Foley lodged an objection, which was sustained by the judge.

An earlier conviction for murder William in Germany, gave information leading to the discovery of Clay's body and implicating Mr. Barrow, testified Anguiano was one of several "Madons" who were involved in the "ground" in the East Coast Mafia.

Mr. Hughes told The Press Democrat, the Justice Department will maintain the testimony he gave at the Deegan murder trial.

He contended the protection also is to show "good faith" to the other government witnesses who have testified against him since Mr. Barrow, will feel secure and count on the government's support should they find themselves in a dilemma.

Mr. Miller has announced he plans to cut a witness in the case, a witness from the East Coast Mafia, a crime-fighting attorney who is head of the Justice Department's organized crime task force in the East Coast.

Mr. Harrington has stated Mr. Barrow is the defendant was contradicted from Massachusetts.

1968

Office of the Attorney General  
Washington, D. C. 20530

DEC 2 1971

Mr. H. Paul Rico  
Special Agent  
Federal Bureau of Investigation  
Miami, Florida

Dear Mr. Rico:

In response to the subpoena served upon you in the case of *State of California v. Joseph Barbosa*, you are hereby authorized to testify concerning the following facts and their surrounding circumstances:

(1) That when Barbosa was in a protective custody in Massachusetts awaiting trial as a witness, you advised him that efforts were being made by criminal elements to locate him for the purpose of killing him before his appearance as a witness; and

(2) On or about February 3, 1970, you advised Barbosa to leave the Massachusetts area immediately because of a potential threat to his life.

This authorization is subject to the following requirements:

(a) You may not disclose any information which might result in the identification of a confidential informant or source of information.

(b) You may not identify any of the places where Barbosa was held in protective custody.

(c) You may not disclose any other information or produce any material acquired as a result of your official duties or because of your official status; and

EXHIBIT

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BSF-00164

1969

(b) All information concerning material in the  
Department of Justice files may not be provided without express  
authority from the Department of Justice.

Sincerely,

*John Edgar Hoover*  
Attorney General

BSF-00165

1970

Office of the Attorney General  
Washington, D.C. 20530

DEC 8 1971

Mr. Dennis M. Condon  
Special Agent  
Federal Bureau of Investigation  
Boston, Massachusetts

Dear Mr. Condon:

In response to the subpoena served upon you in the case of State of California v. Joseph Barbosa, you are hereby authorized to testify concerning the following facts and their surrounding circumstances:

(1) That when Barbosa was in a protective status in Massachusetts awaiting call as a witness you advised him that efforts were being made by criminal elements to locate him for the purpose of killing him prior to his appearance as a witness; and

(2) That on or about January, 1970, Harry Johnson and Allan Fidler traveled from the Boston area to the San Francisco area, that they traveled extensively in the northern California area, and that they were apprehended and the circumstances surrounding their apprehension, detention and identification by local police, as well as the facts concerning these events of which you advised Barbosa.

This authorization is subject to the following requirements:

(1) You may not disclose any information which might result in the identification of a confidential informant or source of information;

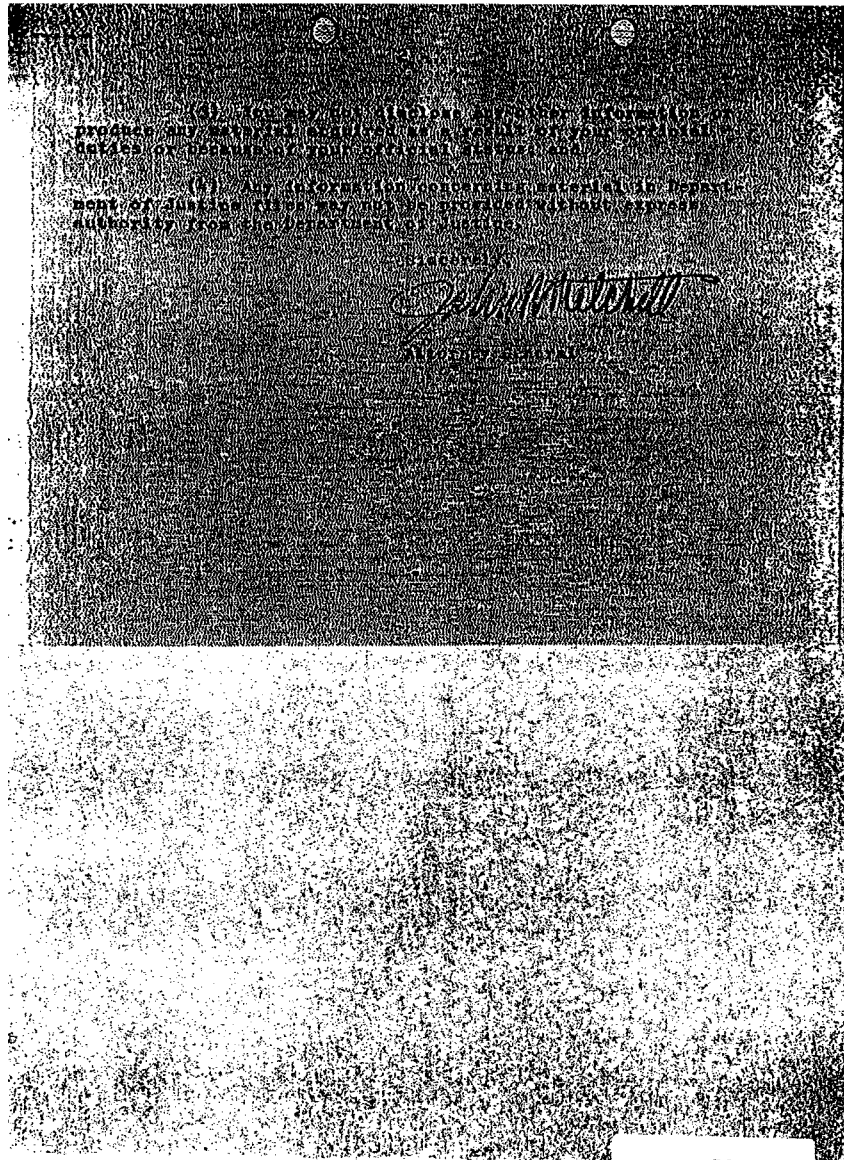
(2) You may not identify any of the places where Barbosa was held in protective status;

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1971



BSF-00160